

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

SUE KELLER,)	
)	
Plaintiff,)	
)	
v.)	Cause No. 3:12-cv-840-TLS-CAN
)	
NEW ENGLAND COMPOUNDING)	
PHARMACY, INC. a/k/a NEW)	
ENGLAND COMPOUNDING CENTER;)	
AMERIDOSE, LLC; ALAUNUS)	
PHARMACEUTICAL, LLC; BARRY)	
CADDEN; LISA CADDEN;)	
and GREGORY CONIGLIARO,)	
)	
Defendants.)	

DEFENDANT ALAUNUS PHARMACEUTICAL, LLC’S MOTION TO DISMISS

Defendant, Alaunus Pharmaceutical, LLC (“Alaunus”), by counsel, moves to dismiss Plaintiff’s Complaint, as to Alaunus, with prejudice, pursuant to Federal Rule of Civil Procedure 12(b)(6). As fully set forth in Alaunus’s accompanying brief, simultaneously filed herewith, Plaintiff’s Complaint fails to set forth a viable claim for relief and must be dismissed.

WHEREFORE, Defendant Alaunus Pharmaceutical, LLC respectfully requests that Plaintiff’s Complaint, as to Alaunus, dismissed in its entirety, with prejudice, pursuant to Federal Rule of Civil Procedure 12(b)(6).

LEWIS WAGNER LLP

By: /s/ Kameelah Shaheed-Diallo

DINA M. COX, #18590-49

KAMEELAH SHAHEED-DIALLO, #28058-49

ROBERT M. BAKER IV, #25471-49

JANELLE M. KILIES, #30708-49

*Attorneys for Defendant Alaunus Pharmaceutical,
LLC*

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been filed with the Clerk of the Court on February 6, 2013 using the CM/ECF system which sent notification of this filing to the following:

Douglas A. Mulvaney
STUTSMAN & MULVANEY
1300 Cassopolis Street
P.O. Box 1337
Elkhart, Indiana 46515

/s/ Kameelah Shaheed-Diallo

KAMEELAH SHAHEED-DIALLO

LEWIS WAGNER, LLP
501 Indiana Avenue, Suite 200
Indianapolis, IN 46202
Phone: (317) 237-0500
FAX: (317) 630-2790

kshaheed-diallo@lewiswagner.com

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